

Contact: Brian Gorman  
206-526-6613

NOAA 02-076  
**FOR IMMEDIATE RELEASE**  
June 25, 2002

**NOAA Fisheries Takes Steps to Protect Killer Whales**  
***Agency Determines that ESA Listing Not Presently Warranted***

The National Marine Fisheries Service (NOAA Fisheries), announced today that it will take steps to protect a population of killer whales (*Orcinus orca*) that summers in Washington state's Puget Sound. NOAA Fisheries managers said they will immediately seek federal protection for the orcas, and will follow well defined steps to halt the population's decline.

NOAA Fisheries, an agency of the Commerce Department's National Oceanic and Atmospheric Administration (NOAA), is one of the federal agencies responsible for protecting marine mammals and determining protection under the Endangered Species Act (ESA).

"We are taking the decline of these killer whales seriously and we will work to sustain and support this population," said Bob Lohn, head of the NOAA Fisheries northwest regional office.

The NOAA Fisheries steps to help protect Puget Sound killer whales include:

- Starting the process to declare the stock as "depleted," a classification that would give it greater federal protection.
- Soliciting public comment about additional protections needed to stop the southern residents' decline.
- Improving whale-watching guidelines. Such steps would be made in consultation with Canadian authorities.
- Committing to a reassessment of these whales under the Endangered Species Act within the next four years.

-more-

Although historically the southern resident population has been small, in recent years scientists have seen it fall from a high of 97 animals in 1996 to approximately 78 last year. At a conference sponsored by NOAA Fisheries in 2001, killer-whale experts attributed the decline to depleted food sources, the effects of pollution and whale watching.

In spite of these low numbers, a biological review team assembled by NOAA Fisheries said that even if the 1992-2001 population decline continued that there would be a slightly greater than 10 percent chance that the southern resident population would become extinct in the next 100 years. If the population data starting in 1974 is used to make the same prediction, the scientists said the risk of extinction by 2101 would fall to as little as one percent.

In May 2001, the California-based Center for Biological Diversity and 11 other groups petitioned NOAA Fisheries to list Puget Sound killer whales – known by scientists as the southern population of resident killer whales – under the Endangered Species Act.

“While these animals are in trouble, there is not sufficient justification to list the Puget Sound population under the ESA,” explained Lohn.

When they are considered as a part of the larger group of North Pacific killer whales, there is no risk of extinction for the population according to the NOAA Fisheries biological review team's report. The general killer whale population in the North Pacific is regarded as healthy.

The Endangered Species Act allows the government to list individual species or subspecies, but also “distinct population segments” as well. A joint policy, signed in 1996 by NOAA Fisheries and the US Fish and Wildlife Service, another federal agency with wide-spread responsibility under the ESA, declares such sub-groups must not only be separate or “discrete” from the overall population, they must be “significant” as well.

NOAA Fisheries convened a team of scientists and killer-whale biologists to examine the killer whale's status and make a recommendation about listing. It determined that the Southern Resident killer whales constitute neither a “species,” “subspecies” nor “distinct population segments” as defined by the ESA. Current scientific classification, the scientists said, categorizes all killer whales as a single global species with no recognized subspecies.

Lohn noted, however, that the validity of a single-species classification for killer whales has been questioned by some taxonomists – scientists who study the principles of scientific classification – and is currently under review by scientists world wide.

“Any changes in the species’ classification may warrant a reassessment of our ESA findings,” he added.

The familiar black-and-white killer whales, and all marine mammals in the United States, are protected by the Marine Mammal Protection Act – a law that among other things forbids killing or harming marine mammals.

NOAA Fisheries is dedicated to protecting and preserving our nation’s living marine resources through scientific research, management, enforcement, and the conservation of marine mammals and other protected marine species and their habitat. To learn more about NOAA Fisheries, please visit <http://www.nmfs.noaa.gov>.